

Abstract

Theme of this paper is breaking of employee duties. It's very actual issue, because, although it's basically negative phenomenon, which disturbs due running of working process, it's common part of labour relations. In addition though only one breach of employee duty can be cause of quite serious consequences for employee as well as for employer.

The purpose of my thesis is to provide comprehensive information about breaking of employee duties, analyze recent legal regulation and highlight eventual deficiencies and problems related to interpretation. The starting point for it is recent legislation as well as judicature related to this field. Prepared legislative changes are taken into account too.

The thesis is composed of five chapters which are subdivided into subchapters and parts.

The First Chapter is introductory. It describes history of legal regulation of work discipline within our territory and explains meaning of concept "breaking of employee duties" pursuant to recent legislation.

The Second Chapter deals with employee duties. Firstly there is mentioned obligation of employers to inform employees about their duties and possible ways how employee duties can be created, eventually concretized. After that follows mere characterization of particular employee duties.

The Third Chapter concentrates on judging seriousness of breach of employee duties which is very important because possibilities of employer how he can react on such violation depend on it.

The Fourth Chapter focuses on consequences which follow breach of employee duties. These are basically: consequences related to stability of employment, consequences in the sphere of remuneration and holiday and liability employee for damage. Results with the greatest impact on employee are generally consequences related to stability of employment. Pay to say poses for most of people their only income and if they suddenly lose it it has considerable influence on their social status. Therefore termination of employment for breach of employee duties presents essential part of this chapter.

The Last Chapter is addressed to control of employees during fulfilling their obligations. There are more and more ways how employers can control their employees with development of modern technologies. But also the risk of excessive invasion of employees privacy grows. In this chapter I deal with the most often ways of employee control – control of computer, correspondence, using of telephones and control with camera systems – and boundaries of their admissibility.